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12-3-03
Amdr
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Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Ijiri, Y. et al.

Serial No. 09/705,351

Filed: November 3, 2000

For: VERTICAL HEAT EXCHANGER:

Group Art Unit: 3743
Examiner: Atkinson, C. M.

Commissioner for Patents
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SIR:

REPLY PURSUANT TO 37 C.F.R. § 1.116

This response is submitted pursuant to the Final Office Action mailed July 27, 2003, to which a response is due October 27, 2003. Claims 1, 5, 9-12 and 17 are under consideration. Applicants respectfully request reconsideration and withdrawal of the present rejections in view of the following remarks.

Claims 1, 5, 9-17 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by Kieren. Further, the Examiner quotes *Ex parte Masham* regarding the specifically claimed fluids to be employed in the heat exchanger. As stated in *Masham* "a recitation with respect to the material intended to be worked upon by a claimed apparatus